

Docket No.: KEHRMANN-2
Appl. No.: 10/664,434

REMARKS

The last Office Action of August 24, 2004 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-24 are pending in the application. Claims 6 and 8 have been amended. Claims 5 and 7 have been canceled. No fee is due.

Claims 5, 7 and 10 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 10-12 of U.S. Pat. No. 6,740,156 to Kehrmann.

It is noted with appreciation that claims 1-4, 9, 11-24 are indicated allowable. Claims 6 and 8 have been objected to as being dependent on a rejected base claim.

Applicant has replaced independent claim 5 by claim 6, rewritten in independent claim, as indicated by the Examiner, who objected to original claim 6 only because of its dependency on claim 5 so that it is applicant's belief that claim 6 would be allowable if rewritten in independent form. Likewise, applicant replaced independent claim 7 by claim 8, rewritten in independent claim, as indicated by the Examiner, who objected to original claim 8 only because of its dependency on claim 7 so that it is applicant's belief that claim 8 would also be allowable if rewritten in independent form.

Applicant has also carefully scrutinized the further cited prior art and finds it without any relevance to the newly submitted claims. It is thus felt that no

Docket No.: KEHRMANN-2
Appl. No.: 10/664,434

specific discussion thereof is necessary.

Applicant has perused the instant specification but has not found any grammatical, typographical or idiomatic errors.

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

By: 

Henry M. Feiereisen
Agent For Applicant
Reg. No: 31,084

Date: September 22, 2004
350 Fifth Avenue
Suite 4714
New York, N.Y. 10118
(212)244-5500
HMF:af